

PROB 12C
(7/93)

UNITED STATES DISTRICT COURT

FILED

for

WESTERN DISTRICT OF TEXAS

JAN 31 2020
CLERK, U.S. DISTRICT CLERK
WESTERN DISTRICT OF TEXAS
BY
DEPUTY**Amended Petition for Warrant or Summons for Offender Under Supervision**Name of Offender: Gregory Lee Fuentes Case Number: DR-00-CR-513(2)Name of Sentencing Judicial Officer: The Honorable William Wayne Justice, Senior United States District JudgeDate of Original Sentence: March 11, 2002Original Offense: Ct. 3: Continual Criminal Enterprise, 21 U.S.C. § 848, and Cts. 4, 5, & 6: Conspiracy to Possess with Intent to Distribute Marijuana, 21 U.S.C. §§ 841(a)(1), (b)(1)(B) & 846Original Sentence: 360 months imprisonment on each count to be served concurrently to DR-01-CR-501(1)WWJ, followed a 5 year term of supervised release to be run concurrently to DR-01-CR-501(1)WWJ. August 16, 2005, sentenced amended to 204 months imprisonment on each count to be served concurrently to DR-01-CR-501(1)WWJ, followed by a 5 year term of supervised release to be served concurrently to DR-01-CR-501(1)WWJ.Type of Supervision: Supervised Release Date Supervision Commenced: April 8, 2016Assistant U.S. Attorney: Ernest Gonzalez Defense Attorney: Jonathan L. Munier**PREVIOUS COURT ACTION**

None.

PETITIONING THE COURT☒ Petition amended to reflect new arrest and Indictment under Docket Number 4:19CR00609, in the Eastern District of Arkansas.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
1.	Mandatory Condition No. 1: The defendant shall not commit another federal, state, or local crime.
2.	Mandatory Condition No. 2: The defendant shall not illegally possess a controlled substance.
3.	Standard Condition No. 1: The defendant shall not leave the judicial district without the permission of the Court or Probation Officer.
4.	Standard Condition No. 2: The defendant shall report to the Probation Officer and shall

submit a truthful and complete written report within the first five days of each month.

5. **Standard Condition No. 3:** The defendant shall answer truthfully all inquiries by the Probation Officer and follow the instructions of the Probation Officer.
6. **Standard Condition No. 7:** The defendant shall refrain from excessive use of alcohol and shall purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substance, except as prescribed by a physician.
7. **Standard Condition No. 9:** The defendant shall not associate with any persons engaging in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the Probation Officer.

On or about February 17, 2017, the Houston Police Department along with the United States Drug Enforcement Administration received information of a black vehicle with California plates was making a currency drop in the area. Undercover officers located the vehicle and followed it until a marked unit could be present to conduct a stop of the vehicle. Officers were advised the vehicle in question had failed to signal lane changes multiple times and failed to maintain a single lane of traffic. Officers executed a traffic stop and the driver, later identified as Gregory Lee Fuentes, and a passenger by the name of Terry David Montoya were found to be in possession of a large green bag which contained a large undisclosed amount of currency consisting of mostly \$100 bills wrapped with rubber bands and placed into bundles. Both Fuentes and Montoya denied ownership of the currency.

On February 21, 2017, Fuentes contacted the probation office and reported having contact with police on February 17, 2017, regarding a large amount of cash found inside the vehicle he was driving. On February 28, 2017, the probation officer conducted an unscheduled home visit and left a written notice with the offender's mother of a scheduled office visit on March 2, 2017. Fuentes' telephone was rejecting calls and there was no voicemails; thus making him unavailable for direct contact. On February 28, 2017, Fuentes contacted the probation office and confirmed receipt of his scheduled appointment. On March 2, 2017, Fuentes failed to report for the scheduled office visit and failed to contact the probation officer. His whereabouts are unknown.

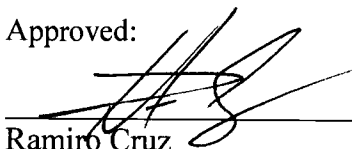
On November 6, 2019, Fuentes was one of fifteen individuals Indicted by the United States District Court for the Eastern District of Arkansas: Count 1: Conspiring to intentionally distribute and possess with intent to distribute 5 kilograms or more of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, in violation of Title 21, U.S.C. 841(a)(1) and 841(b)(1)(A), Count 2: conspiring to intentionally distribute and possess with intent to distribute 400 grams or more of a mixture and substance containing a detectable amount of fentanyl, a Schedule II controlled substance, in violation of Title 21 U.S.C. 841 (a)(1) and 841(b)(1)(A), Count 3: Conspiring to intentionally distribute and possess with intent to distribute 500 grams or more of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in violation of Title 21, U.S.C. 841(a)(1) and 841(b)(1)(A), Count 4: Conspired to intentionally distribute and possess with intent to distribute 280 grams or more of a mixture and substance containing a detectable amount of cocaine base, a Schedule II controlled substance, in violation of Title 21 U.S.C. 841(a)(1) and 841(b)(1)(a), and Count 5: Conspiring to intentionally distribute and possess with intent to distribute more than 50 kilograms of marihuana, a Schedule I controlled substance, in violation of Title 21, U.S.C. 841(a)(1) and 841(b)(1)(C). Currently, these charges remain pending.

U.S. Probation Officer Recommendation:

The term of supervision should be

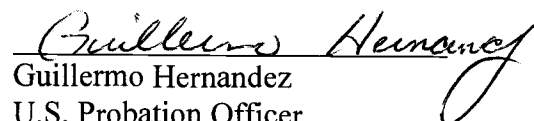
- ☒ revoked. (Maximum penalty: 3 year imprisonment for Cts. 4, 5, 6 and 5 years imprisonment for Ct. 3; 5 year supervised release on all counts; and payment of any unsatisfied monetary sanction previously imposed)
- ☐ extended for _____ years for a total term of _____ years
- ☐ The conditions of supervision should be modified as follows:

Approved:



Ramiro Cruz
Supervising U.S. Probation Officer

Respectfully Submitted,



Guillermo Hernandez
U.S. Probation Officer
Date: January 8, 2020
Telephone #: 830-703-2093, ext. 6392

Approved:



Jody-Ann Gilzene
Assistant U.S. Attorney


cc: Javier Cenicerros
Assistant Deputy Chief U.S. Probation Officer

THE COURT ORDERS:

☒ No action, Petition amended to reflect new Indictment under Docket Number 4:19CR00609 in the United States District Court, Eastern District of Arkansas.

☒ Other

copies to the attorneys.



Honorable Alia Moses
U.S. District Judge

1-31-2020

Date